

GOV. SULZER TO FIGHT HIS CASE TO BITTER END

Does Not Recognize as Final Recent Decision of Supreme Court Justice Hasbrouck in Favor of Glynn.

STATEMENT ISSUED BY JUDGE HERRICK

James C. Garrison, the Governor's Graft Investigator, Still Locked Up in Albany County Penitentiary.

ALBANY, N. Y., Sept. 20.—With rumors current that Governor William Sulzer would resign in event that his attorneys lose their fight to prevent him from being forced to defend himself before the high court of impeachment, statements forthcoming from his counsel today seemed to indicate that he had every intention of fighting the case out to the end, be it bitter or sweet.

The statements were inspired by the general interpretation placed on the letter which Mr. Sulzer sent yesterday to Lieutenant-Governor Glynn, turning over to him for signature requisition papers for the extradition of a prisoner. The letter was taken to mean that the impeached executive thereby recognized the right of Mr. Glynn to act as governor pending the outcome of the trial.

Denied by Counsel.

This his counsel—Valentine Taylor and D. Cady Herrick, as well as the governor's secretary, Chester C. Platt—emphatically denied. Apparently all were eager to correct the impression that in the midst of the fight the governor had surrendered the position upon which he has stood since his impeachment—that he was impeached unconstitutionally and therefore still governor. They made it plain that he did not recognize as final the recent decision of Supreme Court Justice Hasbrouck that Mr. Sulzer, as governor, had no right to exercise the pardoning power.

"Neither Governor Sulzer nor his counsel," Judge Herrick said tonight, "have conceded for one moment the right of Lieutenant Governor Glynn to act as governor nor that the assembly had jurisdiction to impeach him at the extraordinary session."

Case Goes Higher.

"Counsel for Governor Sulzer asked Mr. Glynn shortly after the articles of impeachment were served upon the governor to make a test case, so that the question as to who was to act as governor in the meantime might be decided. Of course, it followed that if such a test was made, both parties would abide by the result. That request was refused."

"Without any co-operation on the part of, or by the advice of counsel for the governor, a case was brought before Justice Hasbrouck, which involved the question as to whether Governor Sulzer had the right to grant a pardon. That decision was adverse to such right. Governor Sulzer was immediately advised to perform no further executive act, but to respect the decision of the court until it should be reversed."

Why Papers Were Sent.

"Yesterday two matters arose that seemed to demand immediate consideration, and under the decision of Justice Hasbrouck it was evident that the public authorities would not recognize any act of Governor Sulzer. His counsel, for the purpose of enabling these seemingly urgent matters to be disposed of, advised that the papers should be transmitted to Lieutenant Governor Glynn, thus abiding by the decision of the court until it could be reversed by a higher tribunal."

"The question as to whether the assembly had the power to impeach is

SUFFERED SEVERAL YEARS RELIEVED BY PERUNA

"ONE BOTTLE DID ME MORE GOOD THAN ALL OTHER REMEDIES PUT TOGETHER."



MR. JOHN N. WATKINS.
Mr. John N. Watkins, 3431 A Crittenden St., St. Louis, Mo., writes:

"Among all the greatly advertised medicines for kidney and bladder trouble there is nothing which equals Peruna. I suffered for several years with this trouble, spent hundreds of dollars on doctors and medicine and all to no purpose, until I took Peruna."

"One bottle did me more good than all the others put together, as they only poisoned my system. Peruna cured me. I used it for four months before a complete cure was accomplished, but am truly grateful to you. The least I can do in return is to acknowledge the merits of Peruna."

A Remarkable Recovery.

Mr. John N. Watkins, whose portrait accompanies this article, has a very interesting story to tell. He

sent it to us entirely unsolicited. His statement is, "The least that I can do in return for the benefit I have received, is to acknowledge the merits of Peruna."

A great many people feel this way, and voluntarily give us the privilege of using their testimonial in spite of the fact that there are some who are prejudiced against testimonials.

Mr. Watkins' trouble was kidney and bladder disease, as he states. Just exactly what the nature of the disease was we have no means of knowing. He had, however, what the doctors called kidney disease, and he had suffered for several years with the trouble.

Naturally enough a man of his means and energy would not sit down and whine because of his trouble, but he attempted to find relief. He spent hundreds of dollars in trying to find relief. It seems that he was disappointed entirely.

At last he was induced to take Peruna. Just who called his attention to the remedy we do not know. We presume it was a neighbor who had taken it for a similar purpose. In beginning to take Peruna he states:

"One bottle did me more good than all the other remedies put together." He continued to take Peruna for four months, at which time he claims he was completely restored to health. It was his gratitude for good health again that led him to write the testimonial and allow us to use his portrait in connection with it.

We offer no explanation as to how Peruna effected a change in his case. The operation of medicine is mostly inexplicable. The fact that he had diligently sought relief and tried other popular remedies and began to improve as soon as he took Peruna, is evidence that cannot be disputed that Peruna did for him just what he says it did.

Naturally enough, Mr. Watkins recommends Peruna to other people similarly afflicted. If any one desires to write him and obtain further particulars, they should remember to inclose a stamp for reply. Otherwise their letter may receive no attention.

Cataract of Kidneys.

Judge C. J. Park, R. F. D. 4, Greensboro, Greene Co., Ga., writes: "For a long time I was troubled with cataract of the kidneys and after taking Peruna I feel like a new man."

Those who object to liquid medicines can now procure Peruna Tablets. (Advertisement.)

now being argued before the court before the trial of impeachments by Mr. Marshall, and it is absurd to think, that, pending that argument and before any decision by the court for the trial of impeachments is made, that Governor Sulzer or his counsel would in any way concede the legality of the proceedings of the legislature, or that he is not rightfully entitled to continue to act as governor."

Decision Expected Monday.

The decision of the court of impeachment on the question probably will come on Monday. Attorney Marshall is expected to finish his argument on Monday morning, and Mr. Parker, chief counsel for the impeachment managers, will answer it. The vote will follow.

Should the governor lose, the case must come to trial, as this will spike what his friends consider as the strongest gun in the battery of legal objections. While there will be left the question of impeachability of the offenses charged, his counsel purpose to

attack only three of the eight articles of impeachment—these having to do with the filing of a false campaign statement and with his Wall Street speculations. If these charges should be thrown out, five other counts would remain.

James C. Garrison, the governor's friend and graft investigator, was tonight still a prisoner in the Albany county penitentiary, where he was committed for contempt of that body.

Supreme Court Justice Cochrane, at Hudson, tonight, issued a writ of habeas corpus for Garrison, returnable at Troy on Monday afternoon.

The writ was obtained after a day of hard labor by Gilbert E. Roe and John T. McDonough, attorneys for Garrison. Early today they began searching for a supreme court justice in Albany, but their efforts were futile. Then they began telephoning around the state for another justice.

Finally Justice Cochrane was located at his home in Hudson, where he issued the writ.

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28 and 30 in. Wavy Hair Switches, regular \$6 values, special \$4.98	
26 and 28 in. Wavy Hair Switches, regular \$5 values, special \$2.98	
24 in. Wavy Hair Switches, only \$1.29	
All around transformations, natural wavy hair, regular \$7.50 values, special \$5.00	

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HUERTA UNABLE TO SUBDUCE LIBERALS

(Continued from Page One.)

constitutionalists will take no part in the election next month nor recognize those who may be elected."

MAKES HIS APPEAL DIRECT TO WILSON

LOS ANGELES, Cal., Sept. 20.—An appeal to President Wilson to investigate the circumstances under which American settlers in the Yaqui valley

in Sonora left their homes and came to the United States was telegraphed from Los Angeles today by Charles F. O'Brien.

In the message Mr. O'Brien said he was appealing directly to the president because he had received no response, except through news dispatches, to a request he had made of the state department that the settlers be returned to their Sonora homes at the expense of the United States or that their property in Mexico be protected by this nation.

Mr. O'Brien wrote of "the apparently deplorable blunder" which caused 139 refugees who recently arrived here on the United States ship Buffalo to "abandon their homes and their property when no necessity for such action existed."

He declared Consular Agent Robert Vail of Guaymas and Lieutenant R. L. Henley virtually had ordered the settlers to leave on forty-eight hours' notice and had failed to acquaint them with the contents of President Wilson's

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message relative to the quitting of Mexico by Americans.

He added that telegraphic advices to him received today from Sonora stated all was quiet there and that the Yaqui Indians were causing no trouble.

Referred to Washington.

EL PASO, Tex., Sept. 20.—General Hugh L. Scott today refused a request from General Venustiano Carranza, constitutionalist leader, to pass through the United States on the way from Nogales, Sonora, to Ciudad Porfirio Diaz to rejoin his command. The rebel leader was referred to the state department at Washington. Carranza has been in Sonora in conference with constitutionalist chiefs.

Braulio Hernandez, former secretary of state of Chihuahua, secretary of the Maderista junta here and representative in Washington in 1910, and now one of Maximo Castillo's chiefs, was arrested today by the United States army and is held at Fort Bliss on the charge of violating the neutrality law.

Hernandez's family has been El Paso and Hernandez crossed the border several days ago and came to El Paso, announcing at the time that he was through with revolution.

Refuse to Heed Treaty.

PIEDRAS NEGRAS, Mex. 20.—Until the constitutionalists recognized the Carranza government will take notice of no treaty between the United States and Mexico. This flat went forth today from Carranza chiefs at Piedras Negras. Carranza's Consul Blocker against the increase to \$1 per ton of the tax collected by the constitutionalists at the Mexican end of the Rio Grande bridge over the Rio Grande. The consul observed that obligation with Mexico had lapsed, and that the Washington government had authorized him to protest. Carranza officials briefly acknowledged recognition of the absence of recognition of the treaty would not heed any treaty between the two nations.